

Holland & Knight

787 Seventh Avenue, 31st Floor | New York, NY 10019 | T 212.513.3200 | F 212.385.9010
 Holland & Knight LLP | www.hklaw.com

Leonie Huang
 +1 212-513-3398
 Leonie.Huang@hklaw.com

December 23, 2024

VIA ECF

Hon. Mary Kay Vyskocil
 U.S. District Judge
 Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl St.
 New York, NY 10007-1312

Re: *United States Polo Association, Inc. v. Rivers World LLC*, 1:23-cv-10818 (MKV)

Dear Judge Vyskocil:

We represent plaintiff United States Polo Association, Inc. (“USPA”) in the above referenced matter, and submit this letter motion pursuant to Your Honor’s Individual Rules of Practice, Rule 2.G, to respectfully request an adjournment and rescheduling of the January 6, 2025 hearing scheduled before Your Honor (Dkt. No. 18).

The original and current date of the hearing is January 6, 2025. See Dkt. No. 18, Order Scheduling Default Judgment Hearing (Dec. 4, 2024). This is the first request for an adjournment.

Principal trial counsel in this case would be Daniel J. Barsky,¹ who has served as longtime counsel for USPA on trademark and other matters and is familiar with all issues in this case, including proceedings relating to the defendant in foreign jurisdictions, information which may be useful to the Court in this matter. Mr. Barsky has a conflicting prior scheduled family vacation planned during his son’s winter break from school. The vacation was planned, and airfare purchased, on October 19, 2024 and Mr. Barsky’s flight is on January 6, 2025 and will overlap with the time set for the hearing. Due to this conflict, we respectfully request the Court reschedule the hearing to a later date in January or as soon thereafter that the Court may be available.

USPA does not have consent from Rivers World LLC (“Defendant”) for the request to reschedule the hearing as Defendant has not appeared or otherwise responded in this case. Indeed, Defendant, though engaged in other matters adverse to USPA elsewhere in the world,

¹ Mr. Barsky’s request for *pro hac vice* admission will be forthcoming. Mr. Barsky has submitted a request for a current copy of his Certificate of Good Standing from the Florida Supreme Court, and will be submitting his application for *pro hac vice* admission to appear in this case upon receiving the required documentation.

Hon. Mary Kay Vyskocil
December 23, 2024
Page 2

has not responded to USPA's counsel in this matter in any fashion. This hearing is on USPA's motion for default judgment (Dkt. Nos. 14, 14-1, 14-2; 15 and 15-1 through 15-11; and 16) filed in June 2024, and as of the date of this letter Defendant still has not appeared or otherwise responded in this case. Plaintiff served Defendant with a copy of the Order Scheduling Default Judgment Hearing (Dkt. No. 18) and USPA's motion (Dkt. Nos. 14, 14-1, 14-2; 15 and 15-1 through 15-11; and 16) on December 17, 2024. Proof of service was filed on ECF on December 19, 2024 (Dkt. No. 19). Concurrently with filing this letter motion today, USPA, through counsel, is also engaging a process server to have service of this letter motion made on Defendant via service to Defendant's registered agent for service. Once service is completed USPA will file proof of service of this letter on ECF.

There are no other deadlines or scheduling orders entered in this case, and the requested adjournment and rescheduling of the hearing will not affect any deadlines in this case.

For all the reasons stated above, USPA respectfully requests the Court reschedule the January 6, 2025 hearing on plaintiff's motion for default judgment to a later date.

Respectfully submitted,

HOLLAND & KNIGHT LLP

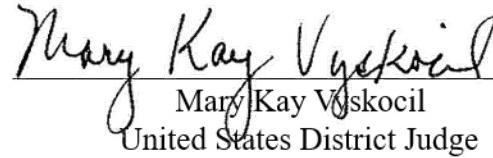


Leonie Huang

Plaintiff's request to adjourn the default motion hearing is GRANTED. The hearing currently scheduled for January 6, 2025 is HEREBY ADJOURNED to January 27, 2025 at 2:30 PM. The hearing will be held in Courtroom 18C of 500 Pearl Street, New York, NY 10007. On or before January 13, 2025, Plaintiff shall file an request for Daniel J. Barsky to be admitted *pro hac vice*. On or before January 13, 2025, Plaintiff shall also serve this Order on Defendants and shall file proof of such service on ECF. No further extensions will be granted absent unforeseen and extraordinary circumstances.

SO ORDERED.

Date: 12/23/2024
New York, New York



Mary Kay Vyskocil
Mary Kay Vyskocil
United States District Judge